

AUG 20 2003

**Before the State of South Carolina  
Department of Insurance**

STATE OF SOUTH CAROLINA  
DEPARTMENT OF INSURANCE  
14

In the matter of:

SCDOI File Number 2003-118662

Mr. Danny L. Sanders,  
dba Sanders bonding Co.  
1925 North Burris Road  
Sharon, South Carolina 29742.

**Consent Order  
Imposing Administrative Penalty**

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Danny L. Sanders/ Sanders bonding Co., a licensed South Carolina resident Professional Bail Bondsman.

Upon review of this matter, I hereby find as fact that Mr. Sanders did fail to remit premiums to Palmetto Surety Inc., for an approximate amount of \$2,691.60. Mr. Sanders acknowledges this and contends this failure resulted from inadvertence and oversight and not from any intent to avoid the requirements of the law. Nevertheless, these actions can ultimately lead to the revocation of his license to transact the business of surety bail bondsman in South Carolina, following a public hearing at the Administrative Law Judge Division pursuant to S.C. Code Ann. § 38-53-160 (Supp.2002).

Rather than awaiting the outcome of impending administrative disciplinary proceedings against him, Mr. Danny Sanders and the Department agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision. The consensual recommendation was: in lieu of the Department seeking to revoke Mr. Sanders' license, he would waive his right to a public hearing and immediately pay to the Department an administrative fine in the total amount of \$1,000.00.

Section 38-53-150(a) grants the Director of Insurance the authority to revoke "any license issued under this chapter for...(1) any cause sufficient to deny issuance of the original license"; (2) violation of any laws of this State relating to bail course or dealings under the license issued him by the Director"; (7) failure to comply with or violation of the provisions of Chapter 53 or of any order or regulation of the Director."□

After a thorough review of the record, and pursuant to my findings of fact, I hereby conclude as a matter of law, that Danny Sanders has violated S.C. Codes Ann. § 38-53-130 (4), (5) and 38-53-150 (4) (Supp. 2002). As a result, I can now take administrative disciplinary action against his resident surety agent's license. However, under the discretionary authority provided to me within S.C. Code Ann. § 38-53-150 (B) (Supp. 2002), and after carefully considering the recommendation of the parties, I hereby impose against Mr. Sanders/ Sanders Bonding Co., an administrative fine in the total amount of \$1,000.00. Mr. Sanders must pay that fine within fifteen days of the date of my signature upon this consent order. If he does not timely pay that total fine amount, both his license to transact business as a professional bail bondsman and that of Sanders Bonding Company will be

revoked without any further disciplinary proceedings.

The parties have reached this agreement through negotiation and compromise and in consideration of the Department having never taken any administrative disciplinary action against either Danny L. Sanders or Sanders' Bonding Co. before, of Mr. Sanders being current with all of his monthly filings, and of his assurance that in the future he will comply with the State's insurance laws. The parties expressly agree and understand Danny Sanders' payment of the agreed-upon penalty constitutes full accord and satisfaction of this matter.

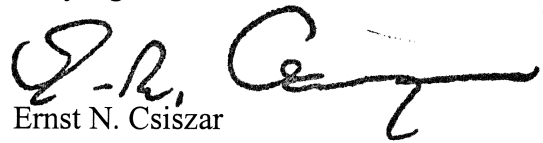
By his signature upon this consent order, Danny Sanders acknowledges that he understands that this administrative order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2002).

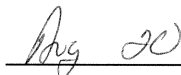
Nothing contained within this administrative order should be construed to limit, or to deprive any person of, any private right of action under the law. Nothing contained within this administrative order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement officer or judicial officer. Nothing contained within this administrative order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110(3) (Supp. 2002), of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is, therefore, ordered that Danny Sanders shall, within fifteen days of the date of my signature on this consent order, pay through the Department an administrative fine in the total amount of \$1,000.00.

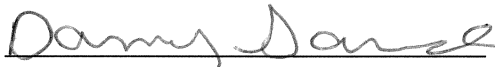
It is further ordered that a copy of this consent order be placed in Danny Sanders' licensing file.

This consent order becomes effective as of the date of my signature below.

  
Ernst N. Csiszar  
Director

, 2003, at  
Columbia, South Carolina

I CONSENT:

A handwritten signature in cursive script, appearing to read "Danny Sanders", written in dark ink.

Danny I. Sanders, dba Sanders Bonding Company  
1925 North Burris Road  
Sharon, South Carolina 29742.

Dated this 19 day of August, 2003